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A-S

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/384,082 08/26/99 OTOMO

F 016910/0451

IM22/0801

EXAMINER

FOLEY & LARDNER
3000 K STREET NW
SUITE 500
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WASHINGTON DC 20007-8696

RIDLEY, B

ART UNIT

PAPER NUMBER

1764

DATE MAILED:

08/01/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/384,082	OTOMO ET AL.	
	Examiner Basia Ridley <i>PR</i>	Art Unit 1764	
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>			
Period for Reply			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.			
<ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). 			
Status			
1) <input type="checkbox"/> Responsive to communication(s) filed on _____.			
2a) <input type="checkbox"/> This action is FINAL. 2b) <input checked="" type="checkbox"/> This action is non-final.			
3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.			
Disposition of Claims			
4) <input checked="" type="checkbox"/> Claim(s) <u>1-32</u> is/are pending in the application.			
4a) Of the above claim(s) _____ is/are withdrawn from consideration.			
5) <input type="checkbox"/> Claim(s) _____ is/are allowed.			
6) <input type="checkbox"/> Claim(s) _____ is/are rejected.			
7) <input type="checkbox"/> Claim(s) _____ is/are objected to.			
8) <input checked="" type="checkbox"/> Claims <u>1-32</u> are subject to restriction and/or election requirement.			
Application Papers			
9) <input type="checkbox"/> The specification is objected to by the Examiner.			
10) <input type="checkbox"/> The drawing(s) filed on _____ is/are objected to by the Examiner.			
11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved.			
12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.			
Priority under 35 U.S.C. § 119			
13) <input type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).			
a) <input type="checkbox"/> All b) <input type="checkbox"/> Some * c) <input type="checkbox"/> None of the CERTIFIED copies of the priority documents have been:			
1. <input type="checkbox"/> received.			
2. <input type="checkbox"/> received in Application No. (Series Code / Serial Number) _____.			
3. <input type="checkbox"/> received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).			
* See the attached detailed Office action for a list of the certified copies not received.			
14) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).			
Attachment(s)			
15) <input type="checkbox"/> Notice of References Cited (PTO-892)		18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.	
16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)		19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)	
17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.		20) <input type="checkbox"/> Other: _____.	

DETAILED ACTION***Election/Restrictions***

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I, an integrated coal gasification combined cycle power generator, wherein steam generated in heat recovery system is supplied to a steam turbine system and wherein steam generated in heat exchanger of a coal gasification system is supplied to a gas turbine system, as recited in claims 1-15

Species II, an integrated coal gasification combined cycle power generator, wherein steam generated in heat recovery system is supplied to a steam turbine system and wherein steam generated in heat exchanger of a coal gasification system is supplied to said steam turbine system, as recited in claims 16-17 and 20-32

Species III, an integrated coal gasification combined cycle power generator, wherein steam generated in heat recovery system is supplied to a gas turbine system, as recited in claims 18-19

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, none of the claims appears generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. A telephone call was made to Ms. Glenn Law on 26 July 2000 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Basia Ridley, whose telephone number is (703) 305-5418. The examiner can normally be reached on Monday through Thursday, from 6:45 AM to 5:15 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marian Knode, can be reached on (703) 308-4311.

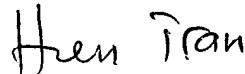
The fax phone number for Group 1700 is (703) 305-3599 (for Official papers after Final), (703) 305-5408 (for other Official papers) and (703) 305-6078 (for Unofficial papers). When filing a fax in Group 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with the PTO that are not for entry into the file of the application. This will expedite processing of your papers.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.


Basia Ridley
Examiner
Art Unit 1764

BR
July 27, 2000


Hien Tran

HIEN TRAN
PRIMARY EXAMINER